



General Assembly

January Session, 2009

Committee Bill No. 541

LCO No. 4949

04949SB00541JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT WAIVING FEES FOR PARDON APPLICANTS WHO ARE
INDIGENT.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 29-17a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) If a criminal history records check is required pursuant to any
4 provision of the general statutes, such check shall be requested from
5 the State Police Bureau of Identification and shall be applicable to the
6 individual identified in the request. The requesting party shall arrange
7 for the fingerprinting of the individual or for conducting any other
8 method of positive identification required by the State Police Bureau of
9 Identification and, if a national criminal history records check is
10 requested, by the Federal Bureau of Investigation. The fingerprints or
11 other positive identifying information shall be forwarded to the State
12 Police Bureau of Identification which shall conduct a state criminal
13 history records check. If a national criminal history records check is
14 requested, the State Police Bureau of Identification shall submit the
15 fingerprints or other positive identifying information to the Federal
16 Bureau of Investigation for a national criminal history records check,

17 unless the Federal Bureau of Investigation permits direct submission of
18 the fingerprints or other positive identifying information by the
19 requesting party.

20 (b) The Commissioner of Public Safety may charge fees for
21 conducting criminal history [background] records checks as follows:

22 (1) Except as provided in subdivision (2) of this subsection, for a
23 person requesting (A) a state criminal history records check, the fee
24 charged by the Department of Public Safety for performing such check,
25 and (B) a national criminal history records check, the fee charged by
26 the Federal Bureau of Investigation for performing such check.

27 (2) For a state agency requesting a national criminal history records
28 check of a person, the fee charged by the Federal Bureau of
29 Investigation for performing such check. The state agency shall
30 reimburse the Department of Public Safety for such cost. Unless
31 otherwise provided by the provision of the general statutes requiring
32 the criminal history records check, the state agency may charge the
33 person a fee equal to the amount paid by the state agency under this
34 subdivision.

35 (c) The Commissioner of Public Safety may provide an expedited
36 service for persons requesting criminal history records checks in
37 accordance with this section. Such expedited service shall include
38 making the results of such records checks available to the requesting
39 party through the Internet. The commissioner may enter into a contract
40 with any person, firm or corporation to establish and administer such
41 expedited service. The commissioner shall charge, in addition to the
42 fees charged pursuant to subsection (b) of this section, a fee of twenty-
43 five dollars for each expedited criminal history record check provided.
44 The fee charged pursuant to subsection (b) of this section and the
45 expedited service fee charged pursuant to this subsection shall be paid
46 by the requesting party in such manner as may be required by the
47 commissioner.

48 (d) The Commissioner of Public Safety shall waive the fee charged
49 under subparagraph (A) of subdivision (1) of subsection (b) of this
50 section if the person requests the state criminal history records check in
51 connection with an application for a pardon and the commissioner
52 finds that such person is indigent and unable to pay such fee.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2009	29-17a
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Statement of Purpose:

To allow indigent persons to apply for a pardon.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. COLEMAN, 2nd Dist.
 REP. MCCRORY, 7th Dist.; SEN. PRAGUE, 19th Dist.

S.B. 541